



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/027,988

12/20/2001

Martin J. Medina

H0001983

2358

7590

10/31/2006

Intellectual Property
Honeywell International Inc.
Law Department, AB/2
101 Columbia Road
Morristown, NJ 07962

EXAMINER

WU, RUTAO

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,988

Applicant(s)

MEDINA ET AL.

Examiner

Rob Wu

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. In response filed August 18, 2006, claims 1-17 are pending in the application.

Response to Arguments

2. Applicant's arguments filed August 18, 2006 have been fully considered but they are not persuasive.

The applicant agrees that the disclosure of Posner (U.S. 2003/0208435) is directed to an on-line system and method for processing RFPs and for assembling a proposal in response to the RFPs. Incorporated in the Posner system, a team builder module 112 is configured to receive and process proposal data from one or more of the vendor modules. The disclosure of Elliott (U.S. 6,446,053) is directed to a computer-implemented method and system for producing a proposal for a construction project. After a proposal is complete by the user (customer), the user may select a general contractor or individual subcontractors to submit the bid. The Elliott system includes a contractor database that may be searched for contractors in the designated geographic area. By sending the proposal to several contractors, the user can compare prices for different contractors for his project.

The applicant argues that Posner combined with Elliott does not suggest or teach "searching a resource database storing data relating to available resources using a search template to identify and select the available resources suitable for completing

the project defined by the statement of work;” as recited in claim 1. The Examiner respectfully disagrees.

Elliott discloses a database storing information of general contractors or individual subcontractors that the user can search through and submit RFP for the general contractors or individual subcontractors to bid on and then the user can compare the different prices submitted by different contractors. The Examiner notes here that contractors are part of the necessary resources that is needed to complete a project, without the contractors the project would never be accomplished. Therefore, Elliott discloses searching by the user in a resources database for available resources and selects the available resources suitable for completing the project defined by the statement of work.

Therefore Elliott teaches “searching a resource database storing data relating to available resources using a search template to identify and select the available resources suitable for completing the project defined by the statement of work;” as recited in claim 1, and Posner combined with Elliott teach “A method implemented via a computerized system for coordinating business information flow to permit a provider of goods or services to prepare a project proposal including a price quote for a project requested by a customer, said system including a central server programmed to executed said method, said method comprising the steps of: establishing a communications channel between the central server and at least one client computer; creating a statement of work comprising project data corresponding to project details, terms, requirements, and comments using a project information template; transmitting

the statement of work over the communications channel to the central server from one or the at least one client computer to initiate preparation of the project proposal; searching a resource database storing resource data relating to available resources using a search template to identify and select the available resources suitable for completing the project defined by the statement of work; processing data relating to selected resources and project data of the statement of work to generate the price quote and prepare the project proposal; and preparing an evaluation summary report of the project proposal, detailing the project data and selected resource data of selected available resources for review and approval by the provider of goods or services.”

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 8, 9, 11, 12, 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub No. 2003/0208435 to Posner in view of U.S. Pat No. 6446053 to Elliott.

Referring to claim 1:

A method implemented via a computerized system for coordinating business information flow to permit a provider of goods or services to prepare a project proposal including a price quote for a project requested by a customer, said system including a

central server programmed to execute said method, said method comprising the steps of:

establishing a communications channel between the central server and at least one client computer; [0008], [0023]

creating a statement of work comprising project data corresponding to project details, terms, requirements, and comments using a project information template; [0008]

transmitting the statement of work over the communications channel to the central server from one of the at least one client computer to initiate preparation of the project proposal; [0010], [0013]

Posner does not explicitly disclose searching a resource database storing resource data relating to available resources using a search template to identify and select the available resources suitable for completing the project defined by the statement of work;

However, Elliott discloses once the proposal is complete, the application prepares it for submission. Then the contractors database is searched for contractors in the designated geographic area and receive quotes back from the contractors. (col 10: lines 47-56) From the above disclosure the resource database is searched, in this case the resources are the different contractors, and the available resource suitable for completing the project defined by the statement of work is selected.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Posner's invention to search resource database to obtain the required resource(s) to accomplish the statement of work. It

would have been obvious to perform such a modification to accurately realize the required resource(s) to ultimately arrive at a realistic quote for a statement of work presented by a client.

Posner discloses:

processing data relating to selected resources and project data of the statement of work to generate the price quote and prepare the project proposal; and [0008]

preparing an evaluation summary report of the project proposal, detailing the project data and selected resource data of selected available resources for review and approval by the provider of goods or services. [0055]

Referring to claim 2:

Posner discloses:

the method of Claim 1, further comprising the step of transmitting the evaluation summary report to one of the at least one client computer accessed by appropriate review department of the provider for review and approval of the project proposal. [0055]

Referring to claim 3:

Posner discloses:

the method of Claim 2, wherein the evaluation summary report includes financial evaluation of the project proposal, and one of the appropriate review departments is a finance review department. [0059]

Referring to claim 4:

Posner discloses:

the method of claim 2, wherein the evaluation summary report includes contractual compliance evaluation, and one of the appropriate review departments is a contracts review department. [0057]

Referring to claim 5:

Posner discloses:

the method of Claim 1, further comprising the step of notifying the customer of the project proposal including the price quote upon approval by the provider. [0059]

Referring to claim 6:

Posner discloses:

the method of claim 5, wherein the notifying step further comprises the step of transmitting the project proposal over the communications channel to one of the at least one client computer accessed by the customer for viewing. [0035], [0059]

Referring to claim 8:

Posner discloses:

the method of claim 1, further comprising the step of storing in a personnel database, information relating to internal record of the statement of work access by personnel of the provider. [0037], [0043]

Referring to claim 9:

Posner discloses:

assigning the transmitted statement of work to a quote advisor for facilitating the preparation of the project proposal from the statement of work; [0048], [0049] and

Posner does not explicitly disclose notifying the assigned quote advisor and the customer of the assignment and contact information of the quote advisor and the customer. However, Posner discloses that vendors that buyer choose to send the RFPs to can be chosen by the buyer from a list, [0039] therefore it is an inherent feature that the customer knows the contact information of the quote advisor. Posner also discloses that after the vendor creates a proposal in response to a buyer RFP, the vendor then submits proposal template to the buyer [0059], therefore it is an inherent feature that the quote advisor also knows the contact information of the customer to be able to send the proposal.

Referring to claim 11:

Posner discloses:

preparing a tentative statement of work including project data inputted by the customer through use of a tentative statement of work template; [0048], [0049]

Transmitting the tentative statement of work over the communications channel to the central server from one of the at least one client computer accessed by the customer to generate a tentative order of magnitude [0047]-[0055]

Notifying the customer of the tentative order of magnitude via the communication channel for acceptance; [0059], [0060] and

Converting the tentative statement of work upon acceptance of the tentative order of magnitude. [0034]

Referring to claim 12:

Posner discloses:

Art Unit: 3628

the method of Claim 7 further comprising the steps of:

Qualifying a user of one of the at least one client computer for access of the central server through input of a use identification code and a corresponding password code; and [0050]

Identifying the user as a company user or a customer user. [0050], [0054], [0055]

Referring to claim 14:

Posner discloses:

the method of Claim 6, further comprising the step of receiving acceptance or rejection of the project proposal from the customer over the communications channel from one of the client computers accessed by the customer. [0013], [0059]

Referring to claim 15:

A method for coordinating business information flow to permit a provider of goods or services to prepare a project proposal including a price quote for a project, said method comprising:

Posner disclose Receiving a statement of work comprising project data corresponding to project details, terms, requirements, and comments using a project information template; [0039], [0040]

Posner does not explicitly disclose searching a resource database storing resource data relating to available resources using a search template to identify and select the available resources suitable for completing the project defined by the statement of work;

However, Elliott discloses once the proposal is complete, the application prepares it for submission. Then the contractors database is searched for contractors in the designated geographic area and receive quotes back from the contractors. (col 10: lines 47-56) From the above disclosure the resource database is searched, in this case the resources are the different contractors, and the available resource suitable for completing the project defined by the statement of work is selected.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Posner's invention to search resource database to obtain the required resource(s) to accomplish the statement of work. It would have been obvious to perform such a modification to use the required resource(s) to ultimately arrive at a realistic quote for a statement of work presented by a client.

Posner discloses:

Processing data relating to selected resources and project data of the statement of work to generate the price quote and prepare the project proposal; and [0008]

Preparing an evaluation summary report of the project proposal, detailing the project data and selected resource data of selected available resources for review and approval by the provider of goods or services. [0055]

Referring to claim 16:

The method of claim 1, further comprising transmitting the evaluation summary report of the project proposal to a client computer.[0059], [0060]

Referring to claim 17:

A method for coordinating business information flow to permit a provider of goods or services to prepare a project proposal including a price quote for a project requested by a customer, said method comprising:

Posner discloses establishing a communications channel between a server and at least one client computer; [0008], [0023]

Posner discloses creating a statement of work comprising project data corresponding to project details, terms, requirements, and comments using a project information template; [0008]

Posner discloses transmitting the statement of work over the communications channel to the central server from one of the at least one client computer to initiate preparation of the project proposal; and [0010], [0013]

Posner discloses receiving an evaluation summary report of the project proposal for review and approval by the provider of goods or services. [0055] The evaluation including the price quote of the project proposal [0055], [0057] Posner does not expressly disclose that the evaluation report also include selected resource data of selected available resources, obtained from a resource database relating to available resources using a search template to identify the selected the available resources suitable for completing the project defined by the statement of work.

Elliott discloses once the proposal is complete, the application prepares it for submission. Then the contractors database is searched for contractors in the designated geographic area and receive quotes back from the contractors. (col 10: lines 47-56) From the above disclosure the resource database is searched, in this case the

resources are the different contractors, and the available resource suitable for completing the project defined by the statement of work is selected.

Posner also has a similar resource database for search and selection. Posner's invention discloses a vendor team builder module that assist the project manager in selecting the appropriate team members for a received statement of work from a database of available members and the members of the project team are inserted into the proposal template [0043], [0049]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Posner's invention to search resource database to obtain the required resource(s) to accomplish the statement of work. It would have been obvious to perform such a modification to accurately realize the required resource(s) to ultimately arrive at a realistic quote for a statement of work presented by a client.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7, 10, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Posner in view of Elliott in further view of U.S. Pub No. 20010032172 to Moulinet et al.

Referring to claim 7:

Posner combined with Elliott does not disclose the method of claim 1, further comprising the step of storing in a customer database, status information corresponding to current status and history of the statement of work in the business information flow for view by the customer.

Moulinet et al discloses in one embodiment of the invention the screen 240 provides a listing of the projects initiated by the user of the client system, and the various RFPs prepared and submitted by the user of the client system are tracked so that the status of the RFPs can be reported to the user.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Posner combined with Elliott's invention to include the ability to record the RFPs initiated by a user and provide the user with information on the project such as Name, Date(s) and Status. One would be motivated to perform such modification so the users can track the projects and thus providing them with valuable information on the statement of work.

Referring to claim 10:

Posner combined with Elliott does not disclose posting flag dates for at least one event during the preparation of the project proposal and notifying the provider of the passing of the flag dates for each corresponding event.

Moulinet et al discloses a screen that can be displayed by the client system that displays various fields for identifying the user's project and their status, including dates that the RFP was created, sent to the service providers on the short list, and/or due dates for receipt of a proposal or completing of the project. [0079]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Posner combined with Elliott's invention to include posting and displaying the due dates of certain aspects of the proposal process. One would be motivated to perform such a modification to ensure that the proposals are worked on in a timely manner and ensure that the customer receives a response as quickly as possible to not obstruct the business process.

Referring to claim 13:

Posner combined with Elliott does not disclose the step of limiting access by the customer user to the central server for searching and viewing status of each statement of work created by the customer user on the customer database.

Posner does disclose an access code login system that verifies if the user has the appropriate access before the user is allowed to perform actions related to the RFP [0050]-[0055]

Moulinet et al discloses the ability to allow user to review a listing of the projects initiated by the user of the client system. Users are allowed to view information such as Name, Date(s) and Status of the statement of work. [0079], [0080]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Posner combined with Elliott's invention to allow customers to review information regarding the projects initiated by those customers based on their login access. One would be motivated to perform such a modification to allow customers secure access to view their statements of work and

ensure only the users with possession of the login information can log in and view the information.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

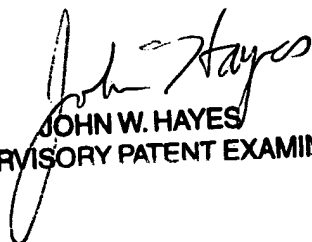
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rob Wu whose telephone number is (571)272-3136. The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rw


JOHN W. HAYES
SUPERVISORY PATENT EXAMINER